

RESOLUTION NO. 2014-117

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
APPROVING THE FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF ROHNERT PARK AND DON SCHWARTZ FOR
ASSISTANT CITY MANAGER SERVICES**

WHEREAS, on April 30, 2014, City entered into an Employment Agreement with Don Schwartz ("Employment Agreement") to retain his services as the Assistant City Manager;

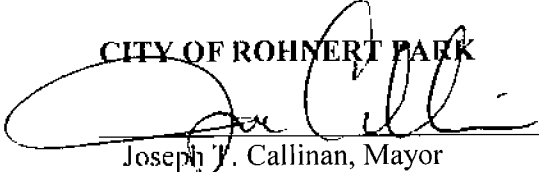
WHEREAS, the City and Don Schwartz desire to amend the Employment Agreement to modify the terms and conditions of Don Schwartz's employment as Assistant City Manager;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rohnert Park hereby approves the First Amendment to Employment Agreement between the City of Rohnert Park and Don Schwartz for Assistant City Manager Services in substantially the same form attached hereto as Exhibit "A," which is incorporated herein by this reference.

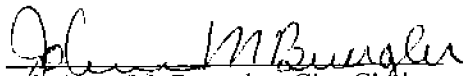
BE IT FURTHER RESOLVED, that the City Manager is authorized and directed to execute same for and on behalf of the City of Rohnert Park.

DULY AND REGULARLY ADOPTED by the City Council of the City of Rohnert Park this 14th day of October, 2014.



CITY OF ROHNERT PARK

Joseph T. Callinan, Mayor

ATTEST:


JoAnne M. Buergler, City Clerk

BELFORTE: ABSENT MACKENZIE: AYE STAFFORD: AYE AHANOTU: AYC CALLINAN: AYE

AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

**FIRST AMENDMENT TO
EMPLOYMENT AGREEMENT
Between
CITY OF ROHNERT PARK AND DON SCHWARTZ**

1. PARTIES AND EFFECTIVE DATE

The parties to this First Amendment to Employment Agreement ("First Amendment") are the City of Rohnert Park ("City") and Don Schwartz ("Employee"). The effective date of this First Amendment shall be October 14, 2014.

2. PURPOSE

The parties have previously entered into an Employee Agreement between City of Rohnert Park and Don Schwartz ("Employment Agreement") effective as of April 30, 2014. The City and Employee hereby desire to amend the Employment Agreement as set forth below.

3. AMENDMENT

Section 4(c) of the Employment Agreement is hereby modified in its entirety to read as follows:

4. COMPENSATION AND BENEFITS.

- (c) Employee shall be entitled to the following salary adjustments provided to the non-public safety Management Unit in accordance with the Outline of Certain Conditions of Employment, Fringe Benefits, and Salary for the Management Unit ("Management Unit Outline"), effective July 1, 2014 to June 30, 2017: three percent (3%) one-time non-pensionable payment on October 17, 2014, three percent (3%) one-time non-pensionable payment on July 1, 2015, and three percent (3%) pensionable increase to base salary on July 1, 2016.

4. GENERAL PROVISIONS

A. This First Amendment consists of pages 1 through 2 inclusive, which constitute the entire understanding and agreement of the parties and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the terms discussed in this First Amendment.

B. Except as specifically modified herein, all remaining terms and obligations set forth in the Employment Agreement between the City of Rohnert Park and Employee shall remain in full force and effect.

CITY OF ROHNERT PARK

By: _____
Darrin Jenkins,
City Manager

Dated: _____

EMPLOYEE

By: _____
Don Schwartz

Dated: _____

Per Resolution Number 2014-_____ adopted
by City Council on October 14, 2014.

Approved as to form:

By: _____
Michelle Marchetta Kenyon
City Attorney

Attest

City Clerk